

DEPARTMENT GENERAL ORDERS MANUAL
PUBLIC SAFETY DEPARTMENT
CITY OF SUNNYVALE

CHAPTER 4
PART 4.15
SECTIONS 4.15.01-4.15.03

DATE: July 2004

Robert V. Bradshaw, Interim Director

CHAPTER TITLE:

SUBJECT:

RULES AND REGULATIONS

NON-RACIALLY BIASED PUBLIC
SAFETY SERVICE

This policy is intended to reaffirm this department's commitment to unbiased public safety service, to clarify the circumstances in which Public Safety Members may consider race/ethnicity when making decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable manner.

4.15.01 IMPARTIALITY

- A. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution, applicable policy and case law. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, non-consensual searches, and property seizures.
- B. Except as provided in this policy, officers should not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Additionally, except as provided within this policy, officers shall not consider race/ethnicity in deciding to initiate consensual or nonconsensual encounters that do not amount to a legal detention or to request consent to search.
- C. Officers may take into account the reported race or ethnicity of a suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s).
- D. Race/ethnicity may not be used as the sole basis for probable cause, reasonable suspicion or other public safety service decisions.
- E. Except as provided in this policy, race/ethnicity shall not be motivating factors in making law enforcement or public safety service decisions.

4.15.02 PREVENTING PERCEPTIONS OF BIASED PUBLIC SAFETY SERVICE

In an effort to prevent inappropriate perceptions of biased public safety service, each employee should consider the following when conducting any public safety service including response to calls for service and self initiated activity such as pedestrian and vehicle stops:

1. Be courteous and professional.
2. During any contact (including vehicle and pedestrian stops), state the reason for the contact as soon as practical, unless providing this information will compromise a legitimate public safety concern such as an ongoing investigation, officer safety or the public's safety.
3. Ensure that any detention or contact is no longer than necessary to take appropriate action for the known or suspected offenses, and that a detained party understands the purpose of reasonable delays.
4. Answer any questions a detained party may have that will not compromise a legitimate public safety concern such as an ongoing investigation, officer safety or the public's safety, including explaining options for traffic citation disposition, if relevant.
5. Provide your name and badge number in writing (sworn employees only) when requested.

4.15.03 COMPLIANCE

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

Violations of this policy shall result in corrective action and may result in disciplinary action as set forth in the department's General Orders Manual.